

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

EMMANUEL BRYANT,

Plaintiff,

v.

RADDAD, et al.,

Defendants.

Case No. 2:21-cv-01116-JDW

ORDER

AND NOW, this 28th day of August, 2023, upon consideration of Plaintiff Emmanuel Bryant's Motion For Default Judgment (ECF No. 37), following a hearing with Mr. Bryant to determine damages, and for the reasons stated in the accompanying Memorandum, it is **ORDERED** that the Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. The Motion is **GRANTED** as to Mr. Bryant's First Amendment claims against Defendants C.O. Raddad, C.O. Kilson, C.O. Brew, and Sgt. Bishop;
2. The Motion is **GRANTED** as to Mr. Bryant's Eighth Amendment claims against Defendants C.O. Raddad, C.O. Handy, and Lt. Horsey;
3. The Motion is **GRANTED** as to Mr. Bryant's Fourteenth Amendment claims as to Defendants C.O. Raddad, C.O. Kilson, C.O. Brew, and Sgt. Bishop;

4. The Motion is **GRANTED** as to Mr. Bryant's claim for assault and battery against Defendant C.O. Raddad.

5. The Motion is **DENIED** as to all other claims and defendants.

It is **FURTHER ORDERED** that, pursuant to Federal Rule Of Civil Procedure 55(b)(2), **JUDGMENT** is **ENTERED** in favor of Mr. Bryant as follows:

1. Against C.O. Raddad in the amount of \$7,500;
2. Against Sgt. Bishop in the amount of \$5,000;
3. Against C.O. Kilson in the amount of \$2,500;
4. Against C.O. Brew in the amount of \$2,500;
5. Against C.O. Handy in the amount of \$1,000;
6. Against Lt. Horsey in the amount of \$1,000.

It is **FURTHER ORDERED** that, on or before September 30, 2023, Mr. Bryant shall either voluntarily dismiss his claims against Defendants Commissioner Carney, Warden Farrell, and Warden Talmadge pursuant to Federal Rule of Civil Procedure Rule 41(a)(1)(A)(i) or show cause in why the case against those defendants should not be dismissed. Any response must take into account the analysis in the Memorandum that I have issued today.

It is **FURTHER ORDERED** that Mr. Bryant's claims against the John/Jane Doe Defendants, and Defendants Brown, Johnson, Miles, and Lewis, are **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

BY THE COURT:

/s/ Joshua D. Wolson

JOSHUA D. WOLSON, J.